IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.41879 of 2008
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1. Umesh Mehta, son of Kuldeep Mehta,
resident of Village Karipahadi,
P.S. Phullidumar, Distt. Banka
2. Titu Darbey son of Biru Darbey
3. Kurchu Darbey son of Late Sahdeo Darbey
4. Upendra Yadav son of Late Kaleshwar Yadav
5. Bishu Yadav, son of Late Kaleshwar Yadav
6. Signheshwar Yadav son of Late Ashrafi Yadav
7. Rooplal Yadav son of Singheshwar Yadav
8. Bijo Yadav son of Singheshwar Yadav
9. Kamu Yadav son of Singheshwar Yadav
10. Pairu Yadav son of Nand Kishore Yadav
11. Tiko Yadav son of Nand Kishore Yadav
12. Nago Yadav son of Nand Kishore Yadav
13. Gajjo Yadav son of Nand Kishore Yadav
All are resident of Village Malikbathan,
P.S. Phullidumar, District Banka
----- Petitioners

Versus
STATE OF BIHAR
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2. 17.12.2008 Heard the learned counsel for the petitioners and the State.

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The petitioners are apprehending their arrest in connection with Amarpur (Phullidumar) P.S. Case No.137 of 2007 for the alleged offences registered under sections 144, 379, 307 of the Indian Penal Code and section 27 of the Arms Act.

It is submitted on behalf of the petitioners that the present complaint which gave rise to the police case is in retaliation to the earlier case lodged by petitioner no.7 Rooplal Yadav for an offence under section 302 of the Indian Penal Code. It is submitted that false allegations have been made against these petitioners on account of previous case.

The learned APP appearing for the State opposes the prayer for bail and submits that there is specific allegation against

petitioner no.1 Umesh Mehta of firing with the intention to killing.

Considering the facts and circumstances of the case, let petitioners no.2 to 13 above named, in the event of their arrest or surrender in connection with Amarpur (Phullidumar) P.S. Case No.137/07 within a period of four weeks from today, be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka, in connection with the aforesaid case, on the conditions mentioned in sub-section (2) of section 438 of the Code of Criminal Procedure.

However, in the facts and circumstances of the case, the prayer for anticipatory bail made on behalf of petitioner no.1 Umesh Mehta is rejected.

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PNM **(Shailesh Kumar Sinha, J.)**